IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11831 of 2004

Between:

B. Sudarshan, Driver, E. 107676, S/o. Narshima,
R/o. Munugala, Turkapally, Valligonda (M), Nalgonda District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC., Nalgonda Region, Nalgonda District.
2 The Depot Manager, APSRTC., Yadagirigutta Bus Depot, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order, writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not giving the Special Grade/Stagnation Increment to the petitioner with effect from their completion of 12 years of service in A.P.S.R.T.C., to total (All Regions) and counting the present regions services of 12 years for 12 years stagnation Increment/Special Grade as bad arbitrary, illegal, unjust and contrary to the Circulars and contrary to the Judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years Stagnation

increment/Special Grade to the petitioner on their completion of 12 years of service in the all the regions of the corporation and pass appropriate orders.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: MR.K.HARINATH (SC FOR APSRTC)

The Court made the following**:**

ORDER:

Heard both sides and at their request the writ petition is taken up for disposal at the stage of admission.

The grievance of the writ petitioner is that the respondents-Corporation is not giving the Special Grade/Stagnation increment to the petitioner with effect from his completion of 12 years of service in the Corporation.

The purport of the decision reported by this Court in W.A.No.1301 of 2000, dated 29.10.2002, is that the entire service of the petitioner in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondents-Corporation, more particularly, in circular No.P.D-113/1989, dated 03.06.1989, for grant of stagnation increments. Therefore, it is for the respondents-Corporation to decide the matter whether the petitioner is entitled for the stagnation increments in pursuance of the aforesaid circular order. Therefore, a direction is given to the respondents-Corporation to give the Special Grade/Stagnation increment as per the rules taking into account the petitioner's total service of 12 years in the Corporation.

The writ petition is accordingly disposed of. In the circumstances without costs.

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(K.C.BHANU, J)

13.07.2004

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To

1 The Regional Manager, APSRTC., Nalgonda Region, Nalgonda District.
2 The Depot Manager, APSRTC., Yadagirigutta Bus Depot, Nalgonda District.

3 Two C.D. copies.